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Patent  
Attorney's Docket No. 032304-040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
John F. Shanley ) Group Art Unit: 3731  
Application No.: 10/057,414 ) Examiner: Unassigned  
Filed: January 25, 2002 ) Confirmation No.: 9725  
For: EXPANDABLE MEDICAL DEVICE )  
WITH LOCKING MECHANISM )  
)

RECEIVED  
DEC - 4 2002

TECHNOLOGY CENTER R3700

**AMENDMENT/REPLY TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

- A Petition for Extension of Time is also enclosed.
- A Terminal Disclaimer and a check for [ ] \$55.00 (248) [ ] \$110.00 (148) to cover the requisite Government fee are also enclosed.
- Also enclosed is Second Preliminary Amendment; Acknowledgment Postcard.
- Small entity status is hereby claimed.
- Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the [ ] \$370.00 (279) [ ] \$740.00 (179) fee due under 37 C.F.R. § 1.17(e).
- Applicant(s) previously submitted \_\_\_, on \_\_\_, for which continued examination is requested.
- Applicant(s) request suspension of action by the Office until at least \_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.
- No additional claim fee is required.

[X] An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	53	MINUS 47 =	6	× \$18.00 (103) =	108.00
Independent Claims	7	MINUS 6 =	1	× \$84.00 (102) =	84.00
If Amendment adds multiple dependent claims, add \$280.00 (104)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
<b>TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT</b>					
<b>\$96.00</b>					

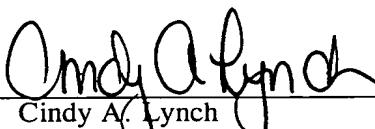
[X] A claim fee in the amount of \$ 96.00 is enclosed.

[ ] Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
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Date: November 26, 2002



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John F. Shanley

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For: EXPANDABLE MEDICAL DEVICE  
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Group Art Unit: 3731

Examiner: Unassigned

Confirmation No: 9725

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CJWAC

SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

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TECHNOLOGY CENTER R3700

Sir:

Prior to the examination of the above-identified application, please amend the application as follows:

Please add new Claims 48-53 as follows:

*Subj* *B1*

48. (New) An expandable medical device comprising:  
a plurality of elongated beams, the plurality of elongated beams joined together to form a substantially cylindrical device which is expandable from a cylinder having a first diameter to a cylinder having a second diameter, the plurality of the elongated beams having a beam width in a circumferential direction; and

a plurality of hinges connecting the elongated beams having a hinge width, wherein the hinge width is smaller than the beam width, wherein the plurality of hinges each have a first end connected to a first of the elongated beams and a second end connected to a second of the elongated beams, the hinges being tapered from the first end to the second end.

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01 FC:2201  
02 FC:2202